

UNITED STATES DISTRICT COURT
SOUTHERN DISTRICT OF NEW YORK

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UNITED STATES OF AMERICA,

- v. -

AFFIDAVIT OF
DEFENDANT
RAYMOND CHARLES
ALBERT IN SUPPORT
OF DEFENDANT'S
MOTION TO
SUPPRESS

07 Cr. 445 (JSR)

RAYMOND CHARLES ALBERT,
Defendant.

-----X
STATE OF NEW YORK)

) ss.:

COUNTY OF NEW YORK)

RAYMOND CHARLES ALBERT, being duly sworn, deposes and says:

1. I am the Defendant in the above-captioned case, and currently reside in the County of Queens, City and State of New York.

2. On Saturday, May 19, 2007, at approximately 6:10 p.m., approximately five men, all in plain clothes and all with weapons at their sides, approached me. As they got closer to me, all five men pointed their guns at me and ordered me onto the ground.

3. As I was lowering myself to the ground, I was tackled from behind by another group of approximately five visibly armed men, also in plain clothes. These men pushed me face first onto the ground. One of the men put his knee on my neck to prevent me from moving. All of the men had their weapons pointed at me and were yelling and using profane language, ordering me not to move.

4. I was placed in handcuffs and the men told me that I was under arrest. They picked me up off of the ground, surrounded me and led me to a burgundy Honda Odyssey mini-van and told me to get inside. Once inside, they informed me they were DEA agents. There was one agent in the driver's seat, one agent seated in the middle row of seats, and one agent seated next to me in the rear. All agents were visibly armed and I was still in handcuffs.

5. As soon as we were inside the van, the agents began to interrogate me. They asked me questions concerning a suitcase, narcotics, money, other individuals, a hotel/motel, and other questions. I responded.

6. As we were driving, the agents continued to ask me questions, and I responded.

7. The agent who was driving the van told me that they recovered a lot of drugs in a suitcase. He said that the drugs belonged to me and that I was going to "take the fall for this." He continued by telling me that I was going to go away to jail for "20 to 25 years." Later he told me that I was going to go to jail for the rest of my life.

8. We then arrived in front of a diner, and parked on the street. We remained inside the van. After a while, we moved to the rear parking lot. We waited for approximately another 30-40 minutes. During this time, one of the agents asked me a lot of personal questions such as whether I have children, whether my parents are still alive, whether I have a better relationship with my mother or my father, how old I am, whether I am married or single, and where I live.

9. The agent repeatedly told me that I was going to go away to jail for a long time. He told me that I would not be able to be involved in my children's lives, that my

kids would be in college before I would be released from jail, and that my mother would be disappointed to learn that I was going to jail.

10. During this time, the agents also continued to ask me questions about a suitcase. In addition, they continued to question me about other individuals, including their full names, descriptions, where they live, their license plate numbers, etc.

11. After approximately one hour, the agents decided that they were going to bring me to the DEA station located on 10th Avenue, New York, New York.

12. As they were bringing me to their station, the agents continued to ask me a lot of questions they had asked earlier. I told the agents that I wanted to talk to an attorney. The agent that was driving told me that it was my right to speak to an attorney, but that talking to an attorney was not going to help me. He said that I was going to be spending the night in a cell while he was going home to his bed. The agent sitting next to me said that I ought to supply them with all of the information they requested.

13. We got to the 10th Avenue station between 8:00 p.m. and 8:20 p.m. I was not allowed to speak to an attorney. I was taken to a cell where I remained handcuffed. Approximately 15 – 20 minutes later, I was taken to be fingerprinted and then I was taken into an interrogation room where there were two new special agents present.

14. One of the agents asked me to “explain what happened,” but then he told me to wait a minute. He gave me a piece of paper to sign. The paper had a number of sentences that had check marks already next to them. It appeared that certain “rights” were listed. I was simply told to sign the paper. The agent told me that I did not have to sign, but I did not really believe him. I had already told the agents that I did not want to speak with them and that I wanted an attorney, but they had not listened to me and

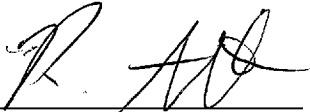
instead had continued their interrogation. It did not seem as though I really had a choice, as I knew that the questioning was going to continue whether I signed the paper or not.

15. The stationhouse agent also asked me if I had any information about any other illegal activity, such as drug-related crimes or unsolved murders. The agent told me that "this is the feds, not the state," and that I was in a "different ballgame." He told me that if I "talked" I would get a better deal.

16. I signed the paper, and the agent repeated the same questions that I had been asked earlier. The stationhouse agent already knew all of the information I had told the agents in the van and was just asking me to confirm what I had already told them.

17. I was not brought before a judge until Monday, May 21st, at approximately 4:00 or 5:00 p.m., approximately 48 hours after my arrest.

Dated: New York, New York
July 23, 2007


Raymond Charles Albert

Sworn to before me this 23rd
day of July, 2007


NOTARY PUBLIC

ALYSSA BURROS
NOTARY PUBLIC, State of New York
Registration #01908013774
Qualified in Bronx County
Commission Expires Sept. 28, 2010